Journal of the Senate

State of Indiana

115th General Assembly — First Regular Session

Thirty-eighth Meeting Day — Monday Afternoon — April 9, 2007

The Senate convened at 1:33 p.m., with the President of the Senate, Rebecca S. Skillman, in the Chair.

Prayer was offered by Senator Dennis K. Kruse.

The Pledge of Allegiance to the Flag was led by the President of the Senate.

The Chair ordered the roll of the Senate to be called. Those present were:

Alting	Long
Arnold	Lubbers
Becker	Meeks
Boots	Merritt
Bray	Miller
Breaux	Mishler
Broden	Mrvan
Deig	Nugent
Delph ▶	Paul
Dillon	Riegsecker ▶
Drozda	Rogers
Errington	Simpson
Ford	Sipes
Gard	Skinner
Heinold	Smith
Hershman	Steele
Howard	Tallian
Hume	Walker
Jackman	Waltz
Kenley	Waterman
Kruse	Weatherwax
Lanane	Wyss ▶
Landske	Young, M.
Lawson	Young, R. ▶
Lewis	Zakas

Roll Call 353: present 46; excused 4. [*Note: A ▶ indicates those who were excused.*] The Chair announced a quorum present. Pursuant to Senate Rule 5(d), no motion having been heard, the Journal of the previous day was considered read.

AMENDED REPORT OF LEADERSHIP

Madam President: Pursuant to Senate Rule 21 of the Standing Rules and Orders of the Senate of the 115th General Assembly, First Regular session, President Pro Tempore David C. Long hereby announces the following:

Due to the death of Senator Anita Bowser on March 4, 2007, Minority Floor Leader Richard D. Young, Jr. has appointed Senator Earline Rogers to fill the vacancy as Assistant Minority Whip. In addition, Senator Young has also appointed Senator James Lewis to fill the position of Minority Leader Pro Tempore.

LONG

Report adopted.

REPORT OF THE PRESIDENT PRO TEMPORE

Madam President: I hereby report that Senator Lubbers has been excused from voting on EHB 1722 pursuant to the Report of the Committee on Ethics adopted on March 27, 2007.

LONG

Report adopted.

RESOLUTIONS ON FIRST READING

Senate Concurrent Resolution 42

Senate Concurrent Resolution 42, introduced by Senator Miller:

A CONCURRENT RESOLUTION memorializing Reverend J. Wayne Markward.

Whereas, The Reverend J. Wayne Markward was born on September 17, 1935, in Hobart, Indiana, and passed away on January 5, 2007, at the age of 71;

Whereas, At the time of his death, Reverend Markward was serving as the interim pastor of the Union Christian Church in Franklin where he had served as pastor for 12 years in the 1960s and 1970s;

Whereas, Reverend Markward graduated from Hobart High School, Johnson Bible College, and Christian Theological Seminary and was ordained by the Disciples of Christ Church in December 1956;

Whereas, Reverend Markward and his wife Flora were married on June 22, 1957, a union that produced two daughters and a son;

Whereas, Shortly after their marriage, Reverend Markward and his wife spent 2 1/2 years in an African-American mission in Phoenix, Arizona, where he performed his first baptism;

Whereas, This service in Phoenix was the only time Reverend Markward was away from the state of Indiana;

Whereas, Reverend Markward completed 50 years of ministry in December 2006;

Whereas, Reverend Markward was a member of the Franklin Lions Club, served on the committee of the nurture and certification division of the Disciples of Christ, was one of the first chaplains for the Johnson County Sheriff's Department, and was co-founder of the Ecumenical Prayer Breakfast in Rensselaer; and

Whereas, Reverend Markward was a man of God who dedicated his life to ministering to his flock, saw the best in every situation, and never missed an opportunity to offer his assistance to people in need whether they were members of his church or strangers: Therefore,

Be it resolved by the Senate of the General Assembly of the State of Indiana, the House of Representatives concurring:

SECTION 1. That the Indiana General Assembly expresses its heartfelt sympathy to the family of Reverend J. Wayne Markward and its gratitude for his years of dedicated service to the citizens of Indiana.

SECTION 2. That the copies of this resolution be transmitted by the Secretary of the Senate to his wife Flora, daughters Lisa Howser and Patti Speck, and son Dennis.

The resolution was read in full and adopted by standing vote. The Chair instructed the Secretary to inform the House of the passage of the resolution. House sponsor: Representative M. Smith.

Senate Concurrent Resolution 40

Senate Concurrent Resolution 40, introduced by Senator Miller:

A CONCURRENT RESOLUTION honoring the Warren Central High School boys cross country team.

Whereas, The Warren Central High School boys cross country team is the Indiana High School Athletic Association's (IHSAA) state champion for the second year in a row;

Whereas, The Warren Central Warriors tallied 100 points as a team to beat runner-up Franklin Central, which finished with 123 points;

Whereas, Senior De'Sean Turner won the overall individual title and covered the 5,000 meter LaVern Gibson Championship Course in a time of 15:54.3, a full five seconds ahead of runner-up Curtis Carr from Brown County;

Whereas, Senior Ondraius Richardson placed fifth overall (third among team competitors) in a time of 16:13.3;

Whereas, Sophomore Caleb Pack placed 49th overall with a time of 17:05.3, junior Micah Aldrich placed 55th with a time of 17:11.8, and senior Cody Smith placed 58th with a time of 17:13.7; and

Whereas, Hard work and dedication helped Warren Central to finish at the top for a second consecutive year: Therefore,

Be it resolved by the Senate of the General Assembly of the State of Indiana, the House of Representatives concurring:

SECTION 1. That the Indiana General Assembly congratulates the Warren Central High School boys cross country team on winning back-to-back state championships and wishes the team continued success in the future.

SECTION 2. That copies of this resolution be transmitted by the Secretary of the Senate to the members of the Warren Central High School boys cross country team, coach Joe Brooks, and principal Tony Burchett.

The resolution was read in full and adopted by voice vote. The Chair instructed the Secretary to inform the House of the passage of the resolution. House sponsor: Representative Buell.

Senate Concurrent Resolution 41

Senate Concurrent Resolution 41, introduced by Senator Miller:

A CONCURRENT RESOLUTION honoring Warren Central High School, Indianapolis, Indiana, on the occasion of its victory in the Class 5A state football championship.

Whereas, The Warren Central Warriors marched to a 35-14 victory over Carmel High School to win the Class 5A state championship title on Saturday, November 25, in the RCA Dome in Indianapolis, making the Warriors the first team to win four consecutive football state championship titles;

Whereas, The Warriors were led by senior running back Darren Evans, who ran for 201 yards and three touchdowns, making him the 2006 points leader with a total of 372 points scored;

Whereas, Darren Evans was named Mr. Football by the Indianapolis Star, receiving 94 percent of the votes cast by coaches and media across the state;

Whereas, Darren Evans is the third Warrior in four years to be named Mr. Football, joining quarterbacks Desmond Tardy (2003) and Dexter Taylor (2005);

Whereas, Senior running back Brad Ellington rushed for 72 yards on four attempts and one touchdown, and senior quarterback Matt Upshaw racked up 32 yards on seven attempts and one touchdown; he also completed three of four passes for 45 yards;

Whereas, The defense contributed several big plays, and senior Michael Bell set up a clinching score with a blocked punt;

Whereas, The Warriors took control of the game in the second quarter, outscoring Carmel 21 - 7, and the defense cranked up its efforts in the second half to hold on to the lead and march to their fourth consecutive state title;

Whereas, First year head coach Steve Tutsie guided Warren Central to its sixth state title in school history;

Whereas, The championship victory topped off an undefeated season and ranks Warren Central among the finest football teams in the history of our state; and

Whereas, Excellence, whether it is on the athletic field or in the classroom, deserves special recognition: Therefore,

Be it resolved by the Senate of the General Assembly of the State of Indiana, the House of Representatives concurring:

SECTION 1. That the Indiana General Assembly congratulates the Warren Central Warriors on their fourth consecutive Class 5A state football championship and wishes them well in their future endeavors.

SECTION 2. That the Secretary of the Senate transmit a copy of this resolution to the team members and coaches, the school principal, and the superintendent.

The resolution was read in full and adopted by voice vote. The Chair instructed the Secretary to inform the House of the passage of the resolution. House sponsor: Representative Buell.

Senate Concurrent Resolution 43

Senate Concurrent Resolution 43, introduced by Senator Miller:

A CONCURRENT RESOLUTION memorializing Sergeant Joseph Proctor.

Whereas, Sergeant Joseph E. Proctor, Indiana National Guard, "distinguished himself by exhibiting exceptionally valorous conduct in the face of an enemy attack as Military Transition Team Trainer for 1st Battalion, 172nd Armor, Camp Ramadi, Iraq on 3 May 2006 during Operation Iraqi Freedom";

Whereas, For his courage in the face of enemy fire, Sergeant Proctor was awarded the Silver Star and was the first Hoosier Guardsman to earn the award during the Iraq war;

Whereas, The Silver Star, established by Congress in 1918, is the nation's third highest award given for valor in combat;

Whereas, Sergeant Proctor was assigned to the National Guard's 638th Aviation Support Battalion as a fuel specialist but volunteered for dangerous duty training Iraqi soldiers;

Whereas, The job of Military Transition Team Trainer is one of the most dangerous and challenging jobs a soldier can perform;

Whereas, As a petroleum specialist who volunteered from the task force support platoon, Sergeant Proctor was in almost constant danger patrolling the most violent areas of Tammim;

Whereas, On the day of the attack, Sergeant Proctor was on duty when Observation Post 293 began receiving direct fire;

Whereas, Without any concern for his own personal safety or a direct order to leave the barracks, Sergeant Proctor donned his protective equipment, secured his weapon, and left the safety of the barracks to assist those on security patrol who were under attack;

Whereas, A large dump truck entered the complex through the west gate, and Sergeant Proctor immediately fired over 25 rounds from his M16 into the cab of the truck, killing the driver before the truck could get further into the compound;

Whereas, The truck exploded, causing significant destruction and mortally wounding Sergeant Proctor;

Whereas, Sergeant Proctor is truly a hero whose actions saved countless lives; and

Whereas, Sergeant Proctor stands as a shining example of the selfless courage and strength of conviction displayed by the members of this nation's armed forces: Therefore,

Be it resolved by the Senate of the General Assembly of the State of Indiana, the House of Representatives concurring:

SECTION 1. That, on behalf of the people of Indiana, we extend our heartfelt sympathy to the family of Sergeant Joseph Proctor. We share their grief and are aware of his sacrifice. We resolve that he has not died in vain and shall not be forgotten.

SECTION 2. That copies of this resolution be transmitted by the Secretary of the Senate to his wife Beth, his children Joseph, Cassandra, and Adam, his parents Lloyd and Sharon Proctor, his brothers Eddie and David Proctor, and his sister Vicky Moss.

The resolution was read in full and adopted by standing vote. The Chair instructed the Secretary to inform the House of the passage of the resolution. House sponsors: Representatives Behning and Burton.

Senate Concurrent Resolution 91

Senate Concurrent Resolution 91, introduced by Senator Miller:

A CONCURRENT RESOLUTION to mark the centennial of Indiana's 1907 eugenical sterilization law and to express the regret of the Senate and House of Representatives of the 115th Indiana General Assembly for Indiana's experience with eugenics.

Whereas, On April 27, 1907, Indiana enacted our nation's first eugenical sterilization law, which mandated the sterilization of persons who were physically or developmentally disabled, mentally ill, or who had committed crimes;

Whereas, The goal of the now-discredited eugenics movement was to provide a simple solution to the complex issues of physical disorders, mental illness, developmental disabilities, and changing social conditions by eliminating what the movement's supporters considered to be hereditary flaws through selective reproduction;

Whereas, In the 1921 case of Smith v. Williams, the Indiana Supreme Court declared the state's 1907 law unconstitutional;

Whereas, In a landmark 1927 decision, the United States Supreme Court upheld Virginia's involuntary sterilization statute in an opinion by Justice Oliver Wendell Holmes;

Whereas, Following the U.S. Supreme Court precedent, Indiana enacted a new sterilization law in 1927 authorizing the compulsory sterilization of persons living in a state institution;

Whereas, Indiana involuntarily sterilized some 2,500 people, while more than 65,000 people were sterilized under similar laws in 30 other states during the same period;

Whereas, Eugenics legislation devalued the sanctity of human life, placed claims of scientific benefit over human dignity, and denied the inalienable rights recognized by our Founding Fathers;

Whereas, Eugenics legislation targeted the most vulnerable among us, including the poor and racial minorities, wrongly dehumanizing them under the authority of law and for the claimed purpose of public health and the good of the people;

Whereas, In the past five years, several other states, including Virginia, Oregon, North Carolina, and California, have publicly repudiated their involvement in the eugenics movement; and

Whereas, 2007 marks the centennial of Indiana's eugenical sterilization law, the first such law in the United States: Therefore,

Be it resolved by the Senate of the General Assembly of the State of Indiana, the House of Representatives concurring:

SECTION 1. That the Indiana General Assembly hereby expresses its regret over Indiana's role in the eugenics movement in this country and the injustices done under eugenic laws.

SECTION 2. That the General Assembly urges the citizens of Indiana to become familiar with the history of the eugenics movement in the belief that a more educated and enlightened population will repudiate the many laws passed in the name of eugenics and reject any such laws in the future.

The resolution was read in full and adopted by voice vote. The Chair instructed the Secretary to inform the House of the passage of the resolution. House sponsors: Representatives Buell and Orentlicher.

ENGROSSED HOUSE BILLS ON THIRD READING

Engrossed House Bill 1019

Senator Nugent called up Engrossed House Bill 1019 for third reading:

A BILL FOR AN ACT to amend the Indiana Code concerning criminal law and procedure.

The bill was read a third time by sections and placed upon its passage. The question was, Shall the bill pass?

Roll Call 354: yeas 46, nays 0. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Chair instructed the Secretary to inform the House of the passage of the bill.

Engrossed House Bill 1348

Senator Lawson called up Engrossed House Bill 1348 for third reading:

A BILL FOR AN ACT concerning health.

The bill was read a third time by sections and placed upon its passage. The question was, Shall the bill pass?

Roll Call 355: yeas 45, nays 1. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Chair instructed the Secretary to inform the House of the passage of the bill.

Engrossed House Bill 1373

Senator Steele called up Engrossed House Bill 1373 for third reading:

A BILL FOR AN ACT to amend the Indiana Code concerning utilities and transportation.

The bill was read a third time by sections and placed upon its passage. The question was, Shall the bill pass?

Roll Call 356: yeas 46, nays 0. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Chair instructed the Secretary to inform the House of the passage of the bill.

Engrossed House Bill 1379

Senator Lawson called up Engrossed House Bill 1379 for third reading:

A BILL FOR AN ACT to amend the Indiana Code concerning local government.

The bill was read a third time by sections and placed upon its passage. The question was, Shall the bill pass?

Roll Call 357: yeas 46, nays 0. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Chair instructed the Secretary to inform the House of the passage of the bill.

Engrossed House Bill 1429

Senator Steele called up Engrossed House Bill 1429 for third reading:

A BILL FOR AN ACT to amend the Indiana Code concerning Medicaid.

The bill was read a third time by sections and placed upon its passage. The question was, Shall the bill pass?

Roll Call 358: yeas 43, nays 3. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Chair instructed the Secretary to inform the House of the passage of the bill.

Engrossed House Bill 1722

Senator Hershman called up Engrossed House Bill 1722 for third reading:

A BILL FOR AN ACT to amend the Indiana Code concerning taxation and utilities and transportation.

The bill was read a third time by sections and placed upon its passage. The question was, Shall the bill pass?

Roll Call 359: yeas 41, nays 4. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Chair instructed the Secretary to inform the House of the passage of the bill.

Senator R. Young, who had been excused, was present.

Engrossed House Bill 1767

Senator Kenley called up Engrossed House Bill 1767 for third reading:

A BILL FOR AN ACT to amend the Indiana Code concerning taxation.

The bill was read a third time by sections and placed upon its passage. The question was, Shall the bill pass?

Roll Call 360: yeas 47, nays 0. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Chair instructed the Secretary to inform the House of the passage of the bill.

Engrossed House Bill 1452

Senator Miller called up Engrossed House Bill 1452 for third reading:

A BILL FOR AN ACT concerning insurance and to make an appropriation.

The bill was read a third time by sections and placed upon its passage. The question was, Shall the bill pass?

Roll Call 361: yeas 47, nays 0. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Chair instructed the Secretary to inform the House of the passage of the bill.

ENGROSSED HOUSE BILLS ON SECOND READING

Engrossed House Bill 1017

Senator Heinold called up Engrossed House Bill 1017 for second reading. The bill was read a second time by title. There being no amendments, the bill was ordered engrossed.

Engrossed House Bill 1027

Senator Bray called up Engrossed House Bill 1027 for second reading. The bill was read a second time by title. There being no amendments, the bill was ordered engrossed.

Engrossed House Bill 1078

Senator Meeks called up Engrossed House Bill 1078 for second reading. The bill was read a second time by title. There being no amendments, the bill was ordered engrossed.

RESOLUTIONS ON FIRST READING

Senate Concurrent Resolution 90

Senate Concurrent Resolution 90, introduced by Senators Alting and Hershman:

A CONCURRENT RESOLUTION congratulating Dr. Martin C. Jischke, President of Purdue University, on his retirement.

Whereas, During his seven years as president of Purdue University, Dr. Martin C. Jischke has led Indiana's land-grant university to a new level of preeminence;

Whereas, His dynamic leadership and strong focus on strategic planning have strengthened every aspect of Purdue, to the benefit of its students and the State of Indiana;

Whereas, Dr. Jischke has made economic development of our state one of his primary goals, encouraging the development of many new companies based on Purdue research;

Whereas, He personally conceived of and led the development of Discovery Park, an interdisciplinary research and teaching center that is designed to accelerate the commercialization of new technologies in order to create new business in Indiana;

Whereas, He has developed or significantly enhanced such initiatives as Advanced Manufacturing, the Technical Assistance Program and the Center for Regional Development, which directly benefit Indiana companies;

Whereas, While skillfully managing his university's state appropriation, Dr. Jischke also has worked tirelessly to maximize other sources of revenue, doubling both private donations to the University and funding of research programs;

Whereas, He has endeavored to create new educational opportunities for Hoosiers through programs like Science Bound, which encourages Indianapolis inner-city students to pursue the dream of higher education, and the Purdue Opportunity Awards, which offers scholarships to students of extraordinary need from every county;

Whereas, Dr. Jischke has been both an eloquent spokesman for higher education in our state and a leader on the national scene through the Association of American Universities, the National Association of State Universities and Land Grant Colleges, the President's Council of Advisors on Science and Technology and other organizations and committees;

Whereas, He has led with distinction four different universities in four states;

Whereas, As the son of a Chicago grocer and the first person in his family to earn a college degree, he has embodied through his life and work the American dream of achievement and service through education; and

Whereas, He will retire from the presidency of Purdue University on June 30, 2007: Therefore,

Be it resolved by the Senate of the General Assembly of the State of Indiana, the House of Representatives concurring:

SECTION 1. That the General Assembly of the State of Indiana commends Dr. Martin C. Jischke on his career-long dedication to public
education, culminating with his tenure as president of Purdue University, and congratulates him on his retirement.

SECTION 2. The Secretary of the Senate is hereby directed to transmit a copy of this Resolution to the Board of Trustees of the University and Dr. Martin C. Jischke.

The resolution was read in full and adopted by voice vote. The Chair instructed the Secretary to inform the House of the passage of the resolution. House sponsors: Representatives Klinker, T. Brown, Micon, and Lehe.

SENATE MOTION

Madam President: I move that Senators Arnold, Becker, Boots, Bray, Breaux, Broden, Deig, Delph, Dillon, Drozda, Errington, Ford, Gard, Heinold, Howard, Hume, Jackman, Kenley, Kruse, Lanane, Landske, Lawson, Lewis, Long, Lubbers, Meeks, Merritt, Miller, Mishler, Mrvan, Nugent, Paul, Riegsecker, Rogers, Simpson, Sipes, Skinner, Smith, Steele, Tallian, Walker, Waltz, Waterman, Weatherwax, Wyss, M. Young, R. Young, and Zakas be added as coauthors of Senate Concurrent Resolution 90.

ALTING

Motion prevailed.

ENGROSSED HOUSE BILLS ON SECOND READING

Engrossed House Bill 1115

Senator Jackman called up Engrossed House Bill 1115 for second reading. The bill was read a second time by title. There being no amendments, the bill was ordered engrossed.

Engrossed House Bill 1128

Senator Becker called up Engrossed House Bill 1128 for second reading. The bill was read a second time by title. There being no amendments, the bill was ordered engrossed.

Engrossed House Bill 1173

Senator Kruse called up Engrossed House Bill 1173 for second reading. The bill was read a second time by title. There being no amendments, the bill was ordered engrossed.

Engrossed House Bill 1220

Senator Miller called up Engrossed House Bill 1220 for second reading. The bill was reread a second time by title.

SENATE MOTION
(Amendment 1220–2)

Madam President: I move that Engrossed House Bill 1220 be amended to read as follows:

Page 1, line 17, after "(d)" insert "**and (e)**".

Page 2, line 9, delete "A" and insert "**Services provided by a**".

Page 2, line 10, delete "not do the following:" and insert "**include the investigation of matters related to the abuse, neglect, or exploitation of an endangered adult.**".

Page 2, delete line 11.

Page 2, line 12, delete "(2) Initiate" and insert "**However, a prosecuting attorney who is providing services in another county under this section may not initiate**".

Page 2, run in lines 10 through 12.

Page 2, delete lines 15 through 24.

(Reference is to EHB 1220 as printed March 30, 2007.)

MILLER

Motion prevailed. The bill was ordered engrossed.

Engrossed House Bill 1256

Senator Lubbers called up Engrossed House Bill 1256 for second reading. The bill was read a second time by title. There being no amendments, the bill was ordered engrossed.

Engrossed House Bill 1274

Senator Bray called up Engrossed House Bill 1274 for second reading. The bill was read a second time by title.

SENATE MOTION
(Amendment 1274–1)

Madam President: I move that Engrossed House Bill 1274 be amended to read as follows:

Page 1, line 3, delete "2010]" and insert "2007]".

Page 1, line 3, delete "and".

Page 1, line 4, delete "subject to subsection (d),".

Page 1, line 6, delete ", or a person that contracts".

Page 1, delete lines 7 through 8.

Page 1, line 9, delete "law enforcement officer's duties,".

Page 1, line 11, delete "and not more than eight dollars ($8).

Page 1, line 11, delete "copy of a".

Page 2, line 13, delete "Subject to subsection (d),".

Page 2, line 13, strike "the superintendent of the state police".

Page 2, line 14, strike "department,".

Page 2, line 14, delete "or a person that enters into a contract with the state".

Page 2, line 15, delete "police department,".

Page 2, line 15, strike "may charge a fee in an amount that is not less than".

Page 2, line 16, strike "five dollars ($5)".

Page 2, line 16, delete "and not more than eight dollars ($8)".

Page 2, line 16, strike "for:".

Page 2, line 17, strike "(1) each".

Page 2, line 17, delete "copy of a".

Page 2, line 17, strike "report; and".

Page 2, line 18, strike "(2) the".

Page 2, line 18, strike "copying of other report related data".

Page 2, strike line 19 and insert "**The superintendent of the state police department shall biennially tabulate and analyze the costs associated with the state police department maintaining a vehicle crash records system as compared with the costs associated with contracting with a private vendor to provide a vehicle crash records system. The superintendent shall publish the analysis and tabulation in the form of a report. The state police department shall:**

(1) publish the report biennially beginning on January 30, 2008;

(2) provide a copy of the report to the legislative council; and

(3) make the report available to the public.

The report to the legislative council must be in an electronic format under IC 5-14-6.

(d) If, based on the report described in subsection (c), the superintendent determines that the accident report fee must be raised in order to:

(1) maintain or renew a contract providing for a vehicle crash records system; or

(2) enable the department to maintain and staff a vehicle crash records system;

the superintendent may adopt rules under IC 4-22-2 to increase the accident report fee.".

Page 2, delete lines 20 through 23.

Page 3, delete lines 2 through 6.

(Reference is to EHB 1274 as printed March 30, 2007.)

BRAY

Motion prevailed. The bill was ordered engrossed.

Engrossed House Bill 1312

Senator Lawson called up Engrossed House Bill 1312 for second reading. The bill was read a second time by title.

SENATE MOTION
(Amendment 1312–1)

Madam President: I move that Engrossed House Bill 1312 be amended to read as follows:

Page 7, between lines 32 and 33, begin a new paragraph and insert:

"**(f) The attorney general and the Indiana professional licensing agency may enter into a memorandum of understanding to provide the attorney general with funds to conduct investigations and pursue enforcement action against violators of this article.**

(g) The attorney general and the licensing agency shall present the memorandum of understanding annually to the board for review.".

(Reference is to EHB 1312 as printed April 6, 2007.)

LAWSON

Motion prevailed. The bill was ordered engrossed.

Engrossed House Bill 1339

Senator Lawson called up Engrossed House Bill 1339 for second reading. The bill was read a second time by title.

SENATE MOTION
(Amendment 1339–1)

Madam President: I move that Engrossed House Bill 1339 be amended to read as follows:

Page 3, after line 14, begin a new paragraph and insert:

SECTION 4. IC 31-32-5-1 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2007]: Sec. 1. Any rights guaranteed to a child under the Constitution of the United States, the Constitution of the State of Indiana, or any other law may be waived **on the record in open court** only:

(1) by counsel retained or appointed to represent the child if the child knowingly and voluntarily joins with the waiver;

(2) by the child's custodial parent, guardian, custodian, or guardian ad litem if:

(A) that person knowingly and voluntarily waives the right;

(B) that person has no interest adverse to the child;

(C) meaningful consultation has occurred between that person and the child; and

(D) the child knowingly and voluntarily joins with the waiver **after having consulted with an attorney retained or appointed to represent the child**; or

(3) by the child, without the presence of a custodial parent, guardian, or guardian ad litem, if:

(A) the child knowingly and voluntarily consents to the waiver; and

(B) the child has been emancipated under IC 31-34-20-6 or IC 31-37-19-27, by virtue of having married, or in accordance with the laws of another state or jurisdiction.

Renumber all SECTIONS consecutively.

(Reference is to EHB 1339 as printed March 30, 2007.)

HOWARD

Upon request of Senator Howard the President ordered the roll of the Senate to be called. Roll Call 362: yeas 17, nays 30.

Motion failed. The bill was ordered engrossed.

Engrossed House Bill 1347

Senator Alting called up Engrossed House Bill 1347 for second reading. The bill was read a second time by title.

SENATE MOTION
(Amendment 1347–1)

Madam President: I move that Engrossed House Bill 1347 be amended to read as follows:

Delete the title and insert the following:

A BILL FOR AN ACT concerning alcoholic beverages.

Page 1, delete lines 1 through 17.

Page 2, delete lines 1 through 8.

Renumber all SECTIONS consecutively.

(Reference is to EHB 1347 as printed April 6, 2007.)

ALTING

Motion prevailed. The bill was ordered engrossed.

Engrossed House Bill 1376

Senator Becker called up Engrossed House Bill 1376 for second reading. The bill was read a second time by title. There being no amendments, the bill was ordered engrossed.

Engrossed House Bill 1406

Senator Lubbers called up Engrossed House Bill 1406 for second reading. The bill was read a second time by title.

SENATE MOTION
(Amendment 1406–1)

Madam President: I move that Engrossed House Bill 1406 be amended to read as follows:

Page 2, line 9, delete "two (2)" and insert "**three (3)**".

Page 2, line 10, delete "care givers" and insert "**caregivers**".

Page 2, line 12, delete "establish at" and insert "**do the following:**

(1) Divide the whole state into the following three (3) regions:

(A) Northern Indiana.

(B) Central Indiana.

(C) Southern Indiana.

(2) Establish at least one (1) kinship care navigator pilot project in each region described under subdivision (1) with each project managed by a participating community based agency.".

Page 2, delete lines 13 through 17.

Page 2, line 22, delete "care givers." and insert "**caregivers.**".

Page 2, line 26, delete "care givers." and insert "**caregivers.**".

Page 2, line 28, delete "care givers" and insert "**caregivers**".

(Reference is to EHB 1406 as printed April 6, 2007.)

LUBBERS

Motion prevailed. The bill was ordered engrossed.

Engrossed House Bill 1410

Senator Steele called up Engrossed House Bill 1410 for second reading. The bill was read a second time by title.

SENATE MOTION
(Amendment 1410–1)

Madam President: I move that Engrossed House Bill 1410 be amended to read as follows:

Page 8, line 33, delete "A background check" and insert "**The check of the sex offender registries in all fifty (50) states and the check of the individual's Indiana criminal history must be completed not later than seventy-two (72) hours after the individual begins employment or volunteer service with the school corporation. The remaining part of the background check**".

Page 8, line 34, after "subsection" insert "**that relates to a check of the individual's criminal history in another state**".

(Reference is to EHB 1410 as printed April 6, 2007.)

DROZDA

The Chair ordered a division of the Senate. Yeas 27, nays 16.

Motion prevailed. The bill was ordered engrossed.

Engrossed House Bill 1608

Senator Hershman called up Engrossed House Bill 1608 for second reading. The bill was read a second time by title. There being no amendments, the bill was ordered engrossed.

Engrossed House Bill 1633

Senator Mishler called up Engrossed House Bill 1633 for second reading. The bill was read a second time by title. There being no amendments, the bill was ordered engrossed.

Engrossed House Bill 1647

Senator Lubbers called up Engrossed House Bill 1647 for second reading. The bill was read a second time by title.

SENATE MOTION
(Amendment 1647–1)

Madam President: I move that Engrossed House Bill 1647 be amended to read as follows:

Page 1, line 6, delete "in" and insert "in:

(A)".

Page 1 line 6, delete "8" and insert "8, **for the 2007-2008 school year; and**

(B) grade 6, 7, or 8, for the 2008-2009 school year and for subsequent school years;".

Page 1, line 6, beginning with "at" begin a new line block indented.

Page 2, delete lines 15 through 42.

Page 3, delete lines 1 through 25.

Page 8, line 35, delete "7" and insert "**6, 7,**".

Page 8, delete lines 36 through 42.

Page 9, delete lines 1 through 7.

Page 9, line 14, delete "in" and insert "in:

(i)".

Page 9, line 14, delete "8" and insert 8, **for the 2007-2008 school year; and**

(ii) grade 6, 7, or 8, for the 2008-2009 school year and for subsequent school years;".

Page 9, line 14, beginning with "at" begin a new line double block indented.

Page 10, delete lines 1 through 42.

Renumber all SECTIONS consecutively.

(Reference is to EHB 1647 as printed April 6, 2007.)

LUBBERS

Motion prevailed. The bill was ordered engrossed.

Engrossed House Bill 1739

Senator Nugent called up Engrossed House Bill 1739 for second reading. The bill was read a second time by title. There being no amendments, the bill was ordered engrossed.

Engrossed House Bill 1811

Senator Ford called up Engrossed House Bill 1811 for second reading. The bill was read a second time by title. There being no amendments, the bill was ordered engrossed.

Engrossed House Bill 1824

Senator Gard called up Engrossed House Bill 1824 for second reading. The bill was read a second time by title.

SENATE MOTION
(Amendment 1824–4)

Madam President: I move that Engrossed House Bill 1824 be amended to read as follows:

Page 1, delete lines 1 through 17, begin a new paragraph and insert:

"SECTION 1. IC 8-1-2-6.1 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 6.1. (a) As used in this section, "clean coal technology" means a technology (including precombustion treatment of coal):

(1) that is used at a new or existing electric **or steam** generating facility and directly or indirectly reduces **or avoids** airborne emissions:

(A) of:

(i) carbon, sulfur, **mercury,** or nitrogen based pollutants; **or**

(ii) particulate matter;

(B) that are associated with the combustion or use of coal; and

(C) that are regulated, or reasonably anticipated by the commission to be regulated, by:

(i) the federal government;

(ii) the state;

(iii) a political subdivision of the state; or

(iv) any agency of a unit of government described in items (i) through (iii); and

(2) that either:

(A) is not in general commercial use at the same or greater scale in new or existing facilities in the United States as of January 1, 1989; or

(B) has been selected by the United States Department of Energy for funding under its Innovative Clean Coal Technology program and is finally approved for such funding on or after January 1, 1989.

(b) As used in this section, "Indiana coal" means coal from a mine whose coal deposits are located in the ground wholly or partially in Indiana regardless of the location of the mine's tipple.

(c) Except as provided in subsection (d), the commission shall allow a utility to recover as operating expenses those expenses associated with:

(1) research and development designed to increase use of Indiana coal; and

(2) preconstruction costs (including design and engineering costs) associated with employing clean coal technology at a new or existing coal burning electric **or steam** generating facility if the commission finds that the facility:

(A) utilizes and will continue to utilize (as its primary fuel source) Indiana coal; or

(B) is justified, because of economic considerations or governmental requirements, in utilizing non-Indiana coal;

after the technology is in place.

(d) The commission may only allow a utility to recover preconstruction costs as operating expenses on a particular project if the commission awarded a certificate under IC 8-1-8.7 for that project.

(e) The commission shall establish guidelines for determining recoverable expenses.

SECTION 2. IC 8-1-2-6.6 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 6.6. (a) As used in this section:

"Clean coal technology" means a technology (including precombustion treatment of coal):

(1) that is used at a new or existing electric **or steam** generating facility and directly or indirectly reduces **or avoids** airborne emissions:

(A) of:

(i) carbon, sulfur, **mercury,** or nitrogen based pollutants; **or**

(ii) particulate matter;

(B) that are associated with **the** combustion or use of coal; and

(C) that are regulated, or reasonably anticipated by the commission to be regulated, by:

(i) the federal government;

(ii) the state;

(iii) a political subdivision of the state; or

(iv) any agency of a unit of government described in items (i) through (iii); and

(2) that either:

(A) is not in general commercial use at the same or greater scale in new or existing facilities in the United States as of January 1, 1989; or

(B) has been selected by the United States Department of Energy for funding under its Innovative Clean Coal Technology program and is finally approved for such funding on or after January 1, 1989.

"Indiana coal" means coal from a mine whose coal deposits are located in the ground wholly or partially in Indiana regardless of the location of the mine's tipple.

"Qualified pollution control property" means an air pollution control device on a coal burning electric **or steam** generating facility or any equipment that constitutes clean coal technology that has been approved for use by the commission, that meets applicable state or federal requirements, and that is designed to accommodate the burning of coal from the geological formation known as the Illinois Basin.

"Utility" refers to any electric **or steam** generating utility allowed by law to earn a return on its investment.

(b) Upon the request of a utility that began construction after October 1, 1985, and before March 31, 2002, of qualified pollution control property that is to be used and useful for the public convenience, the commission shall for ratemaking purposes add to the value of that utility's property the value of the qualified pollution control property under construction, but only if at the time of the application and thereafter:

(1) the facility burns only Indiana coal as its primary fuel source once the air pollution control device is fully operational; or

(2) the utility can prove to the commission that the utility is justified because of economic considerations or governmental requirements in utilizing some non-Indiana coal.

(c) The commission shall adopt rules under IC 4-22-2 to implement this section.

SECTION 3. IC 8-1-2-6.7 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 6.7. (a) As used in this section, "clean coal technology" means a technology (including precombustion treatment of coal):

(1) that is used in a new or existing electric **or steam** generating facility and directly or indirectly reduces **or avoids** airborne emissions:

(A) of:

(i) carbon, sulfur, **mercury,** or nitrogen based pollutants; **or**

(ii) particulate matter;

(B) that are associated with the combustion or use of coal; and

(C) that are regulated, or reasonably anticipated by the commission to be regulated, by:

(i) the federal government;

(ii) the state;

(iii) a political subdivision of the state; or

(iv) any agency of a unit of government described in items (i) through (iii); and

(2) that either:

(A) is not in general commercial use at the same or greater scale in new or existing facilities in the United States as of January 1, 1989; or

(B) has been selected by the United States Department of Energy for funding under its Innovative Clean Coal Technology program and is finally approved for such funding on or after January 1, 1989.

(b) The commission shall allow a public or municipally owned electric **or steam** utility that incorporates clean coal technology to depreciate that technology over a period of not less than ten (10) years or the useful economic life of the technology, whichever is less and not more than twenty (20) years if it finds that the facility where the clean coal technology is employed:

(1) utilizes and will continue to utilize (as its primary fuel source) Indiana coal; or

(2) is justified, because of economic considerations or governmental requirements, in utilizing non-Indiana coal;

after the technology is in place.

SECTION 4. IC 8-1-2-6.8 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 6.8. (a) This section applies to a utility that begins construction of qualified pollution control property after March 31, 2002.

(b) As used in this section, "clean coal technology" means a technology (including precombustion treatment of coal):

(1) that is used in a new or existing energy **or steam** generating facility and directly or indirectly reduces **or avoids** airborne emissions:

(A) of:

(i) carbon, sulfur, mercury, or nitrogen oxides;

(ii) particulate matter; or

(iii) other ~~regulated~~ air emissions;

(B) that are associated with the combustion or use of coal; and

(C) that are regulated, or reasonably anticipated by the commission to be regulated, by:

(i) the federal government;

(ii) the state;

(iii) a political subdivision of the state; or

(iv) any agency of a unit of government described in items (i) through (iii); and

(2) that either:

(A) was not in general commercial use at the same or greater scale in new or existing facilities in the United States at the time of enactment of the federal Clean Air Act Amendments of 1990 (P.L.101-549); or

(B) has been selected by the United States Department of Energy for funding under its Innovative Clean Coal Technology program and is finally approved for such funding on or after the date of enactment of the federal Clean Air Act Amendments of 1990 (P.L.101-549).

(c) As used in this section, "qualified pollution control property" means an air pollution control device on a coal burning energy **or steam** generating facility or any equipment that constitutes clean coal technology that has been approved for use by the commission and that meets applicable state or federal requirements.

(d) As used in this section, "utility" refers to any energy **or steam** generating utility allowed by law to earn a return on its investment.

(e) Upon the request of a utility that begins construction after March 31, 2002, of qualified pollution control property that is to be used and useful for the public convenience, the commission shall for ratemaking purposes add to the value of that utility's property the value of the qualified pollution control property under construction.

(f) The commission shall adopt rules under IC 4-22-2 to implement this section.

SECTION 5. IC 8-1-8.7-1 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 1. As used in this chapter, "clean coal technology" means a technology (including precombustion treatment of coal):

(1) that is used in a new or existing electric **or steam** generating facility and directly or indirectly reduces **or avoids** airborne emissions:

(A) of:

(i) carbon, sulfur, **mercury,** or nitrogen based pollutants; **or**

(ii) particulate matter;

(B) that are associated with the combustion or use of coal; and

(C) that are regulated, or reasonably anticipated by the commission to be regulated, by:

(i) the federal government;

(ii) the state;

(iii) a political subdivision of the state; or

(iv) any agency of a unit of government described in items (i) through (iii); and

(2) that either:

(A) is not in general commercial use at the same or greater scale in new or existing facilities in the United States as of January 1, 1989; or

(B) has been selected by the United States Department of Energy for funding under its Innovative Clean Coal

Technology program and is finally approved for such funding on or after January 1, 1989.".

Delete pages 2 through 5.

Page 6, delete lines 1 through 8.

Page 7, delete lines 14 through 39, begin a new paragraph and insert:

"SECTION 7. IC 8-1-8.8-3 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 3. As used in this chapter, "clean coal technology" means a technology (including precombustion treatment of coal):

(1) that is used in a new or existing energy generating facility and directly or indirectly reduces **or avoids** airborne emissions:

(A) of:

(i) carbon, sulfur, mercury, or nitrogen oxides;

(ii) particulate matter; or

(iii) other ~~regulated~~ air emissions;

(B) that are associated with the combustion or use of coal; and

(C) that are regulated, or reasonably anticipated by the commission to be regulated, by:

(i) the federal government;

(ii) the state;

(iii) a political subdivision of the state; or

(iv) any agency of a unit of government described in items (i) through (iii); and

(2) that either:

(A) was not in general commercial use at the same or greater scale in new or existing facilities in the United States at the time of enactment of the federal Clean Air Act Amendments of 1990 (P.L.101-549); or

(B) has been selected by the United States Department of Energy for funding under its Innovative Clean Coal Technology program and is finally approved for such funding on or after the date of enactment of the federal Clean Air Act Amendments of 1990 (P.L.101-549).".

Page 8, line 16, delete "emissions from an" and insert "**emissions:**

(1) of:

(A) carbon, sulfur, mercury, or nitrogen based pollutants; or

(B) particulate matter;

(2) that are produced by an electric or a steam generating facility; and

(3) that are regulated, or reasonably anticipated by the commission to be regulated, by:

(A) the federal government;

(B) the state;

(C) a political subdivision of the state; or

(D) any agency of a unit of government described in clauses (A) through (C).".

Page 8, delete lines 17 through 23.

Renumber all SECTIONS consecutively.

(Reference is to EHB 1824 as printed March 30, 2007.)

GARD

Motion prevailed.

SENATE MOTION

(Amendment 1824–7)

Madam President: I move that Engrossed House Bill 1824 be amended to read as follows:

Page 5, between lines 27 and 28, begin a new paragraph and insert:

"SECTION 5. IC 8-1-8.4 IS ADDED TO THE INDIANA CODE AS A **NEW** CHAPTER TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]:

Chapter 8.4. Electric Line Facilities Projects

Sec. 1. As used in this chapter, "commission" refers to the Indiana utility regulatory commission created by IC 8-1-1-2.

Sec. 2. As used in this chapter, "electric line facilities" means the following:

(1) Overhead or underground electric transmission lines.

(2) Overhead or underground electric distribution lines.

(3) Electric substations.

Sec. 3. As used in this chapter, "electric line facilities project" means the construction, operation, maintenance, reconstruction, relocation, addition to, upgrading of, or removal of electric line facilities.

Sec. 4. As used in this chapter, "electricity supplier" means a public utility that furnishes retail electric service to the public.

Sec. 5. As used in this chapter, "public utility" has the meaning set forth in IC 8-1-2-1.

Sec. 6. As used in this chapter, "regional transmission organization" refers to the regional transmission organization approved by the Federal Energy Regulatory Commission for the control area in which an electricity supplier operates electric line facilities.

Sec. 7. The commission shall encourage electric line facilities projects by creating the following financial incentives for electric line facilities that are reasonable and necessary:

(1) The timely recovery of costs incurred by an electricity supplier in an electric line facilities project.

(2) The timely recovery of costs, by means of a periodic rate adjustment mechanism, incurred by an electricity supplier taking service under a tariff of, or being assessed costs by, a regional transmission organization.

Sec. 8. (a) An electricity supplier must submit an application to the commission for approval of an electric line facilities project for which the electricity supplier seeks to receive a financial incentive created under section 7 of this chapter.

(b) The commission shall prescribe the form for an application submitted under this section.

(c) Upon receipt of an application under subsection (a), the commission shall review the application for completeness. The commission may request additional information from an applicant as needed.

(d) The commission shall, after notice and hearing, issue a determination of an electric line facilities project's eligibility for the financial incentives described in section 7 of this chapter not later than one hundred eighty (180) days after the date of the application.

(e) Subject to subsection (g), the commission shall approve an application by an electricity supplier for an electric line facilities project that is reasonable and necessary. An electric line facilities project is presumed to be reasonable and

necessary if the electric line facilities project is consistent with, or part of, a plan developed by the regional transmission organization.

(f) This section does not relieve an electricity supplier of the duty to obtain any certificate required under IC 8-1-8.5 or IC 8-1-8.7.

(g) The commission shall not approve a financial incentive for that part of an electric line facilities project that exceeds the lesser of:

(1) five percent (5%) of the electricity supplier's rate base approved by the commission in the electricity supplier's most recent general rate proceeding; or

(2) one hundred million dollars ($100,000,000).".

Page 12, between lines 3 and 4, begin a new paragraph and insert:

"**Sec. 8. (a) As used in this section, communications service has the meaning set forth in IC 8-1-32.5-3.**

(b) An electric utility that receives one (1) or more incentives under section 7 of this chapter shall notify the commission not later than one hundred twenty (120) days before using, either directly or indirectly through an affiliate or an unaffiliated third party, any:

(1) infrastructure;

(2) equipment; or

(3) other facilities;

with respect to which the incentives are received, to provide broadband over power lines or other communications service.

(c) Any incentives received by an electric utility under section 7 of this chapter terminate at such time as any infrastructure, equipment, or other facilities described in subsection (b) are used, either directly by the electric utility or indirectly through an affiliate or an unaffiliated third party, to provide broadband over power lines or other communications service. Not later than sixty (60) days after the date that the infrastructure, equipment, or other facilities described in subsection (b) are first used, either directly by the electric utility or indirectly through an affiliate or an unaffiliated third party, to provide broadband over power lines or other communications service, the electric utility shall refund to its Indiana electric customers all incentives received by the electric utility under section 7 of this chapter, plus interest.

SECTION 12. IC 8-1-35 IS ADDED TO THE INDIANA CODE AS A **NEW** CHAPTER TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2007]:

Chapter 35. Renewable Energy Development

Sec. 1. As used in this chapter, "electricity supplier" means a public utility (as defined in IC 8-1-2-1) that furnishes retail electric service to the public. The term does not include a utility that is:

(1) a municipally owned utility (as defined in IC 8-1-2-1(h));

(2) a corporation organized under IC 8-1-13; or

(3) a corporation organized under IC 23-17 that is an electric cooperative and that has at least one (1) member that is a corporation organized under IC 8-1-13.

Sec. 2. As used in this chapter, "fund" refers to the renewable energy resources fund established by section 8 of this chapter.

Sec. 3. As used in this chapter, "regional transmission organization" refers to a regional transmission organization approved by the Federal Energy Regulatory Commission for the geographic area in which an electricity supplier's assigned service area (as defined in IC 8-1-2.3-2) is located.

Sec. 4. As used in this chapter, "renewable energy credit", or "REC", means one (1) megawatt hour of electricity that:

(1) is:

(A) generated from a renewable energy resource described in section 5(a)(1) through 5(a)(12) of this chapter; or

(B) conserved through the use of a renewable energy resource described in section 5(a)(13) of this chapter;

(2) is quantifiable; and

(3) is possessed by not more than one (1) entity at a time.

Sec. 5. (a) As used in this chapter, "renewable energy resources" includes the following sources and programs for the production or conservation of electricity:

(1) Dedicated crops grown for energy production.

(2) Methane systems that convert waste products, including animal, food, and plant waste, into electricity.

(3) Methane recovered from landfills.

(4) Wind.

(5) Hydropower, other than hydropower involving the construction of new dams or the expansion of existing dams.

(6) Solar photovoltaic cells and panels.

(7) Fuel cells that directly convert chemical energy in a hydrogen rich fuel into electricity.

(8) Sawmill waste, other than waste derived from virgin timber.

(9) Agricultural crop waste.

(10) Waste coal.

(11) Clean coal and energy projects (as defined in IC 8-1-8.8-2).

(12) Combined heat and power systems that:

(A) use natural gas or renewable energy resources as feedstock; and

(B) achieve at least seventy percent (70%) overall efficiency.

(13) Demand side management or efficiency programs that reduce electricity consumption or implement load management or demand response technologies that shift electric load from periods of higher demand to periods of lower demand, including the following:

(A) Home weatherization.

(B) Appliance efficiency modifications and replacements.

(C) Lighting efficiency modifications.

(D) Heating and air conditioning modifications or replacements.

(b) The term does not include energy from the incineration, burning, or heating of the following:

(1) Tires.

(2) Garbage.

(3) General household, institutional, or commercial waste.

(4) Industrial lunchroom or office waste.

(5) Landscape waste.

(6) Construction or demolition debris.

(7) Feedstock that is municipal, food, plant, industrial, or animal waste from outside Indiana.

Sec. 6. (a) Each electricity supplier shall supply electricity that is generated from renewable energy resources described in sections 5(a)(1) through 5(a)(12) of this chapter, or that otherwise qualifies as a renewable energy resource under section 5(a)(13) of this chapter, to Indiana customers as a percentage of the total electricity supplied by the electricity supplier to Indiana customers during a calendar year as follows:

(1) Not later than the calendar year ending December 31, 2010, at least one percent (1%).

(2) Not later than the calendar year ending December 31, 2012, at least two and one-half percent (2.5%).

(3) Not later than the calendar year ending December 31, 2016, at least four percent (4%).

For purposes of this subsection, electricity is measured in megawatt hours.

(b) An electricity supplier may use:

(1) a renewable energy resource described in section 5(a)(10) of this chapter;

(2) a renewable energy resource described in section 5(a)(11) of this chapter; or

(3) a combination of renewable energy resources described in section 5(a)(10) and 5(a)(11) of this chapter;

to generate not more than twenty percent (20%) of the electricity that the electricity supplier is required to supply under subsection (a).

(c) An electricity supplier may not use a renewable energy resource described in section 5(a)(12) of this chapter to generate more than ten percent (10%) of the electricity that the electricity supplier is required to supply under subsection (a).

(d) An electricity supplier may use a renewable energy resource described in section 5(a)(13) of this chapter to supply not more than ten percent (10%) of the electricity that the electricity supplier is required to supply under subsection (a).

(e) An electricity supplier may own or purchase RECs to comply with subsection (a).

(f) If an electricity supplier exceeds the applicable percentage under subsection (a) in a compliance year, the electricity supplier may carry forward the amount of electricity that:

(1) exceeds the applicable percentage under subsection (a); and

(2) is generated from renewable energy resources in an Indiana facility;

to comply with the requirement under subsection (a) for either or both of the two (2) immediately succeeding compliance years.

(g) An electricity supplier that fails to comply with subsection (a) shall deposit in the fund established by section 8 of this chapter an amount equal to:

(1) the number of megawatt hours of electricity that the electricity supplier was required to but failed to supply under subsection (a); multiplied by

(2) fifty dollars ($50).

(h) An electricity supplier is not required to comply with subsection (a) if the commission determines that the electricity supplier has demonstrated that:

(1) renewable energy resources or RECs are not available to the electricity supplier in sufficient quantities to allow the electricity supplier to comply with subsection (a); or

(2) the cost of compliance with subsection (a) using the renewable energy resources available to the electricity supplier would result in an unreasonable increase in the basic rates and charges for electricity supplied to customers of the electricity supplier.

The commission shall conduct a public hearing to make a determination under this subsection.

(i) If the commission determines under subsection (h) that adequate renewable energy resources are not available or that the cost of available renewable energy resources is not reasonable, the commission shall:

(1) reduce or eliminate the affected electricity supplier's obligations under subsection (a) as appropriate; and

(2) review its determination not more than twelve (12) months after the reduction or elimination under subdivision (1) takes effect.

(j) The commission shall allow an electricity supplier to recover reasonable and necessary costs incurred in:

(1) constructing, operating, or maintaining facilities to comply with this chapter; or

(2) generating electricity from, or purchasing electricity generated from, a renewable energy resource;

by a periodic rate adjustment mechanism.

Sec. 7. (a) For purposes of calculating RECs to determine an electricity supplier's compliance with section 6(a) of this chapter, the following apply:

(1) Except as provided in subdivisions (2) through (4), one (1) megawatt hour of electricity generated from renewable energy resources in an Indiana facility equals one (1) REC.

(2) One (1) megawatt hour of electricity generated from a renewable energy resource described in section 5(a)(2), 5(a)(3), 5(a)(4), or 5(a)(8) of this chapter that originates in Indiana equals one and three-tenths (1.3) RECs.

(3) One (1) megawatt hour of electricity that is:

(A) generated from a renewable energy resource in the territory of a regional transmission organization; and

(B) imported into Indiana;

equals five-tenths (0.5) REC.

(4) One (1) megawatt hour of electricity that is generated by a renewable energy resource described in section 5(a)(12) of this chapter in Indiana equals five-tenths (0.5) REC.

(b) Electricity generated by any source outside the territory of a regional transmission organization may not be considered for purposes of calculating an REC to determine an electricity supplier's compliance with section 6(a) of this chapter.

(c) An electricity supplier may satisfy not more than ten percent (10%) of the electricity supplier's requirement under section 6(a) of this chapter by owning or purchasing RECs calculated under subsection (a)(4).

(d) An electricity supplier may not apportion all or part of a single megawatt of electricity among:

(1) more than one (1) renewable energy resource; or

(2) more than one (1) category set forth in subsection (a); in order to comply with section 6(a) of this chapter.

Sec. 8. (a) The renewable energy resources fund is established to:

(1) support the development, construction, and use of renewable energy resources, including small scale renewable energy resources, in rural and urban Indiana; and

(2) reimburse the Indiana economic development corporation and the commission for expenses incurred under section 9 of this chapter.

(b) The fund consists of the following:

(1) Money deposited under section 6(g) of this chapter.

(2) Money from any other source that is deposited in the fund.

(c) The Indiana economic development corporation shall administer the fund.

(d) The expenses of administering the fund shall be paid from money in the fund.

(e) The treasurer of state shall invest the money in the fund not currently needed to meet the obligations of the fund in the same manner as other public money may be invested. Interest that accrues from these investments shall be deposited in the fund.

(f) Money in the fund at the end of a state fiscal year does not revert to the state general fund.

Sec. 9. (a) This section applies if there is sufficient money in the fund established by section 8 of this chapter to reimburse the Indiana economic development corporation and the commission for expenses incurred under subsection (b).

(b) The Indiana economic development corporation, in consultation with the commission, shall develop a strategy to attract renewable energy manufacturing facilities, including wind turbine component manufacturers, to Indiana.

Sec. 10. Beginning in 2017, and not later than March 1 of each subsequent year, an electricity supplier shall file with the commission a report of the electricity supplier's compliance with this chapter for the preceding calendar year.

Sec. 11. The commission shall adopt rules under IC 4-22-2 to implement this chapter.

SECTION 13. [EFFECTIVE JULY 1, 2007] **(a) Not later than April 1, 2013, the Indiana utility regulatory commission shall submit a report in an electronic format under IC 5-14-6 to the general assembly. A report submitted under this SECTION must include:**

(1) an analysis of; and

(2) any legislative proposals the commission believes would increase;

the effectiveness of and industry compliance with IC 8-1-35, as added by this act.

(b) This SECTION expires January 1, 2015.".

Renumber all SECTIONS consecutively.

(Reference is to EHB 1824 as printed March 30, 2007.)

HERSHMAN

Motion prevailed.

SENATE MOTION

(Amendment 1824–1)

Madam President: I move that Engrossed House Bill 1824 be amended to read as follows:

Page 5, after line 27, begin a new paragraph and insert:

"SECTION 5. IC 8-1-2-42 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 42. (a) No change shall be made in any schedule, including schedules of joint rates, except upon thirty (30) days notice to the commission, and approval by the commission, and all such changes shall be plainly indicated upon existing schedules or by filing new schedules in lieu thereof thirty (30) days prior to the time the same are to take effect. The commission may prescribe a shorter time within which a change may be made. **Except as provided in section 42.1 of this chapter,** a public, municipally owned, or cooperatively owned utility may not file a request for a general increase in its basic rates and charges within fifteen (15) months after the filing date of its most recent request for a general increase in its basic rates and charges, except that the commission may order a more timely increase if:

(1) the requested increase relates to a different type of utility service;

(2) the commission finds that the utility's financial integrity or service reliability is threatened; or

(3) the increase is based on:

(A) a rate structure previously approved by the commission; or

(B) orders of federal courts or federal regulatory agencies having jurisdiction over the utility.

The phrase "general increase in basic rates and charges" does not include changes in rates related solely to the cost of fuel or to the cost of purchased gas or purchased electricity or adjustments in accordance with tracking provisions approved by the commission.

(b) No schedule of rates, tolls, and charges of a public, municipally owned, or cooperatively owned utility which includes or authorizes any changes in charges based upon costs is effective without the approval of the commission. Before the commission approves any changes in the schedule of rates, tolls, and charges of an electric utility, which generates and sells electricity, based upon the cost of fuel to generate electricity or upon the cost of fuel included in the cost of purchased electricity, the utility consumer counselor shall examine the books and records of the public, municipally owned, or cooperatively owned generating utility to determine the cost of fuel upon which the proposed charges are based. In addition, before such a fuel cost charge becomes effective, the commission shall hold a summary hearing on the sole issue of the fuel charge. The utility consumer counselor shall conduct ~~his~~ **a** review and make a report to the commission within twenty (20) days after the utility's request for the fuel cost charge is filed. The commission shall hold the summary hearing and issue its order within twenty (20) days after it receives the utility consumer counselor's report. The provisions of this section and sections 39, 43, 54, 55, 56, 59, 60, and 61 of this chapter concerning the filing, printing, and changing of rate schedules and the time required for giving notice of hearing and requiring publication of notice do not apply to such a fuel cost charge or such a summary hearing.

(c) Regardless of the pendency of any request for a fuel cost charge by any electric utility, the books and records pertaining to the cost of fuel of all public, municipally owned, or cooperatively owned utilities that generate electricity shall be examined by the utility consumer counselor not less often than quarterly, and the books and records of all electric nongenerating public, municipally owned, or cooperatively owned utilities shall be examined by the utility consumer counselor not less often than annually. The utility consumer counselor shall provide the commission with a report as to the examination of said books and records within a reasonable time following said examination. The utility consumer counselor may, if appropriate, request of the commission a reduction or elimination of the fuel cost charge. Upon such request, the commission shall hold a hearing ~~forthwith~~ in the manner provided in sections 58, 59, and 60 of this chapter.

(d) An electric generating utility may apply for a change in its fuel charge not more often than each three (3) months. When such application is filed the petitioning utility shall show to the commission its cost of fuel to generate electricity and the cost of fuel included in the cost of purchased electricity, for the period between its last order from the commission approving fuel costs in its basic rates and the latest month for which actual fuel costs are available. The petitioning utility shall also estimate its average fuel costs for the three (3) calendar months subsequent to the expiration of the twenty (20) day period allowed the commission in subsection (b). The commission shall conduct a formal hearing solely on the fuel cost charge requested in the petition subject to the notice requirements of IC 8-1-1-8 and shall grant the electric utility the requested fuel cost charge if it finds that:

(1) the electric utility has made every reasonable effort to acquire fuel and generate or purchase power or both so as to provide electricity to its retail customers at the lowest fuel cost reasonably possible;

(2) the actual increases in fuel cost through the latest month for which actual fuel costs are available since the last order of the commission approving basic rates and charges of the electric utility have not been offset by actual decreases in other operating expenses;

(3) the fuel adjustment charge applied for will not result in the electric utility earning a return in excess of the return authorized by the commission in the last proceeding in which the basic rates and charges of the electric utility were approved. However, subject to section 42.3 of this chapter, if the fuel charge applied for will result in the electric utility earning a return in excess of the return authorized by the commission, in the last proceeding in which basic rates and charges of the electric utility were approved, the fuel charge applied for will be reduced to the point where no such excess of return will be earned; and

(4) the utility's estimate of its prospective average fuel costs for each such three (3) calendar months are reasonable after taking into consideration:

(A) the actual fuel costs experienced by the utility during the latest three (3) calendar months for which actual fuel costs are available; and

(B) the estimated fuel costs for the same latest three (3) calendar months for which actual fuel costs are available.

(e) Should the commission at any time determine that an emergency exists that could result in an abnormal change in fuel costs, it may, in order to protect the public from the adverse effects of such change suspend the provisions of subsection (d) as to the utility or utilities affected by such an emergency and initiate such procedures as may be necessary to protect both the public and the utility from harm. The commission shall lift the suspension when it is satisfied the emergency no longer exists.

(f) Any change in the fuel cost charge granted by the commission under the provisions of this section shall be reflected in the rates charged by the utility in the same manner as any other changes in rates granted by the commission in a case approving the basic rates and charges of the utility. However, the utility may file the change as a separate amendment to its rate schedules with a reasonable reference therein that such charge is applicable to all of its filed rate schedules.

(g) No schedule of rates, tolls, and charges of a public, municipally owned, or cooperatively owned gas utility that includes or authorizes any changes in charges based upon gas costs is effective without the approval of the commission except those rates, tolls, and charges contained in schedules that contain specific provisions for changes in gas costs or the cost of gas that have previously been approved by the commission. Gas costs or cost of gas may include the gas utility's costs for gas purchased by it from pipeline suppliers, costs incurred for leased gas storage and related transportation, costs for supplemental and substitute gas supplies, costs incurred for exploration and development of its own sources of gas supplies and other expenses relating to gas costs as shall be approved by the commission. Changes in a gas utility's rates, tolls, and charges based upon changes in its gas costs shall be made in accordance with the following provisions:

(1) Before the commission approves any changes in the schedule of rates, tolls, and charges of a gas utility based upon the cost of the gas, the utility consumer counselor may examine the books and records of the public, municipally owned, or cooperatively owned gas utility to determine the cost of gas upon which the proposed changes are based. In addition, before such an adjustment to the gas cost charge becomes effective, the commission shall hold a summary hearing on the sole issue of the gas cost adjustment. The utility consumer counselor shall conduct ~~his~~ **a** review and make a report to the commission within thirty (30) days after the utility's request for the gas cost adjustment is filed. The commission shall hold the summary hearing and issue its order within thirty (30) days after it receives the utility consumer counselor's report. The provisions of this section and sections 39, 43, 54, 55, 56, 59, 60, and 61 of this chapter concerning the filing, printing, and changing of rate schedules and the time required for giving notice of hearing and requiring publication of notice do not apply to such a gas cost adjustment or such a summary hearing.

(2) Regardless of the pendency of any request for a gas cost adjustment by any gas utility, the books and records pertaining to cost of gas of all public, municipally owned, or cooperatively owned gas utilities shall be examined by the utility consumer counselor not less often than annually. The utility consumer counselor shall provide the commission with

a report as to the examination of said books and records within a reasonable time following said examination. The utility consumer counselor may, if appropriate, request of the commission a reduction or elimination of the gas cost adjustment. Upon such request, the commission shall hold a hearing ~~forthwith~~ in the manner provided in sections 58, 59, and 60 of this chapter.

(3) A gas utility may apply for a change in its gas cost charge not more often than each three (3) months. When such application is filed, the petitioning utility shall show to the commission its cost of gas for the period between its last order from the commission approving gas costs in its basic rates and the latest month for which actual gas costs are available. The petitioning utility shall also estimate its average gas costs for a recovery period of not less than the three (3) calendar months subsequent to the expiration of the thirty (30) day period allowed the commission in subdivision (1). The commission shall conduct a summary hearing solely on the gas cost adjustment requested in the petition subject to the notice requirements of IC 8-1-1-8 and may grant the gas utility the requested gas cost charge if it finds that:

(A) the gas utility has made every reasonable effort to acquire long term gas supplies so as to provide gas to its retail customers at the lowest gas cost reasonably possible;

(B) the pipeline supplier or suppliers of the gas utility has requested or has filed for a change in the costs of gas pursuant to the jurisdiction and procedures of a duly constituted regulatory authority;

(C) the gas cost adjustment applied for will not result, in the case of a public utility, in its earning a return in excess of the return authorized by the commission in the last proceeding in which the basic rates and charges of the public utility were approved; however, subject to section 42.3 of this chapter, if the gas cost adjustment applied for will result in the public utility earning a return in excess of the return authorized by the commission in the last proceeding in which basic rates and charges of the gas utility were approved, the gas cost adjustment applied for will be reduced to the point where no such excess of return will be earned; and

(D) the utility's estimate of its prospective average gas costs for each such future recovery period is reasonable and gives effect to:

(i) the actual gas costs experienced by the utility during the latest recovery period for which actual gas costs are available; and

(ii) the actual gas costs recovered by the adjustment of the same recovery period.

(4) Should the commission at any time determine that an emergency exists that could result in an abnormal change in gas costs, it may, in order to protect the public or the utility from the adverse effects of such change suspend the provisions of subdivision (3) as to the utility or utilities affected by such an emergency and initiate such procedures as may be necessary to protect both the public and the utility from harm. The commission shall lift the suspension when it is satisfied the emergency no longer exists.

(5) Any change in the gas cost charge granted by the commission under the provisions of this section shall be reflected in the rates charged by the utility in the same manner as any other changes in rates granted by the commission in a case approving the basic rates and charges of the utility. However, the utility may file the change as a separate amendment to its rate schedules with a reasonable reference therein that such charge is applicable to all of its filed rate schedules.

SECTION 2. IC 8-1-2-42.1 IS ADDED TO THE INDIANA CODE AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: **Sec. 42.1. (a) As used in this SECTION, "electric utility" means a public utility (as defined in IC 8-1-2-1(a)) that:**

(1) provides retail electric service to:

(A) more than four hundred thousand (400,000); but

(B) less than five hundred thousand (500,000);

retail electric customers in Indiana on April 1, 2007; and

(2) has a service area that includes, among other counties, each of the counties described in IC 36-7-7.6-1.

(b) As used in this section, "electric utility holding company" means a corporation, company, partnership, or limited liability company that owns an electric utility.

(c) An electric utility or an electric utility holding company may not consummate any of the following transactions unless the electric utility first petitions the commission for a review of the electric utility's basic rates and charges under section 42(a) of this chapter:

(1) A transaction described in section 83 or 84 of this chapter.

(2) A merger, consolidation, reorganization, or union involving the electric utility.

(3) A tender offer or contract for the purchase, acquisition, assignment, or transfer of stock of the electric utility.

(4) Any other transaction involving the sale or transfer of any of the assets, liabilities, franchises, works, or systems of the electric utility to another person or entity, other than in an intracorporate transaction.

(d) In reviewing an electric utility's rates and charges under this section, the commission shall follow the procedures for ratemaking proceedings set forth in:

(1) IC 8-1-2; and

(2) any applicable rules adopted by the commission.

(e) In determining the basic rates and charges for the electric utility in a proceeding conducted under this section, the commission shall consider:

(1) the value of the electric utility's assets, facilities, works, and systems;

(2) the electric utility's gross intrastate operating revenue; and

(3) the electric utility's operating expenses;

as determined at the time of the ratemaking proceedings.

(f) After its review of the evidence presented in the proceedings, the commission shall issue an order determining the basic rates and charges for the electric utility. The commission shall issue its order under this subsection to take effect before the anticipated date of completion of the

transaction described in subsection (c) on which the electric utility's petition is based.".

Renumber all SECTIONS consecutively.

(Reference is to HB 1824 as reprinted March 30, 2007.)

TALLIAN

Upon request of Senator Tallian the President ordered the roll of the Senate to be called. Roll Call 363: yeas 18, nays 29.

Motion failed. The bill was ordered engrossed.

Engrossed House Bill 1391

Senator Miller called up Engrossed House Bill 1391 for second reading. The bill was read a second time by title. There being no amendments, the bill was ordered engrossed.

Engrossed House Bill 1821

Senator Miller called up Engrossed House Bill 1821 for second reading. The bill was read a second time by title.

SENATE MOTION
(Amendment 1821–4)

Madam President: I move that Engrossed House Bill 1821 be amended to read as follows:

Page 3, line 40, delete ";" and insert "**licensed;**".

Page 3, line 41, delete ";" and insert "certified;".

Page 3, line 42, delete "certified licensed".

Page 9, line 32, delete "direct".

Page 9, line 40, delete "direct".

Page 11, line 3, delete ";" and insert "**and renewal of a certificate for an occupational therapist assistant;**".

Page 11, line 36, after "IC 25-22.5" insert "**, an advanced practice nurse licensed under IC 25-23, a psychologist licensed under IC 25-33,**".

Page 13, line 10, after "license" insert "**or certificate**".

(Reference is to EHB 1821 as printed March 16, 2007.)

MILLER

Motion prevailed. The bill was ordered engrossed.

ENGROSSED HOUSE BILLS ON THIRD READING

Engrossed House Bill 1067

Senator Meeks called up Engrossed House Bill 1067 for third reading:

A BILL FOR AN ACT to amend the Indiana Code concerning pensions.

The bill was read a third time by sections and placed upon its passage. The question was, Shall the bill pass?

Roll Call 364: yeas 46, nays 0. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Chair instructed the Secretary to inform the House of the passage of the bill.

Engrossed House Bill 1116

Senator Landske called up Engrossed House Bill 1116 for third reading:

A BILL FOR AN ACT to amend the Indiana Code concerning health matters.

The bill was read a third time by sections and placed upon its passage. The question was, Shall the bill pass?

Roll Call 365: yeas 43, nays 3. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Chair instructed the Secretary to inform the House of the passage of the bill.

Engrossed House Bill 1241

Senator Miller called up Engrossed House Bill 1241 for third reading:

A BILL FOR AN ACT to amend the Indiana Code concerning professions and occupations.

The bill was read a third time by sections and placed upon its passage. The question was, Shall the bill pass?

Roll Call 366: yeas 46, nays 1. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Chair instructed the Secretary to inform the House of the passage of the bill.

Engrossed House Bill 1461

Senator Ford called up Engrossed House Bill 1461 for third reading:

A BILL FOR AN ACT to amend the Indiana Code concerning taxation.

The bill was read a third time by sections and placed upon its passage. The question was, Shall the bill pass?

Roll Call 367: yeas 46, nays 1. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Chair instructed the Secretary to inform the House of the passage of the bill.

Engrossed House Bill 1742

Senator Heinold called up Engrossed House Bill 1742 for third reading:

A BILL FOR AN ACT to amend the Indiana Code concerning local government.

The bill was read a third time by sections and placed upon its passage. The question was, Shall the bill pass?

Roll Call 368: yeas 46, nays 1. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Chair instructed the Secretary to inform the House of the passage of the bill.

REPORT OF THE PRESIDENT PRO TEMPORE

Pursuant to Rule 81(b), of the Standing Rules and Orders of the Senate, President Pro Tempore David C. Long has appointed the following senators to serve as Senate conferees (or advisors) on Engrossed Senate Bill 320:
Conferees: Miller, Chair and Errington
Advisors: Delph, Becker, Sipes, and Smith

LONG
Date: 4/5/2007
Time: 6:09 p.m.

Report adopted.

REPORT OF THE PRESIDENT PRO TEMPORE

Pursuant to Rule 81(b), of the Standing Rules and Orders of the Senate, President Pro Tempore David C. Long has appointed the following senators to serve as Senate conferees (or advisors) on Engrossed Senate Bill 193:
Conferees: Miller, Chair and Rogers
Advisors: Lawson, Dillon, Simpson, and Hume

LONG
Date: 4/5/2007
Time: 6:08 p.m.

Report adopted.

MESSAGE FROM THE HOUSE

Madam President: I am directed by the House to inform the Senate that the House has passed, without amendments, Engrossed Senate Bills 155, 180, and 181 and the same are herewith returned to the Senate.

CLINTON MCKAY
Principal Clerk of the House

MESSAGE FROM THE HOUSE

Madam President: I am directed by the House to inform the Senate that the House has passed Engrossed Senate Bills 113, 431, and 551 with amendments and the same are herewith returned to the Senate.

CLINTON MCKAY
Principal Clerk of the House

MESSAGE FROM THE HOUSE

Madam President: I am directed by the House to inform the Senate that the House has passed House Concurrent Resolution 54 and the same is herewith transmitted for further action.

CLINTON MCKAY
Principal Clerk of the House

MESSAGE FROM THE HOUSE

Madam President: I am directed by the House to inform the Senate that the House has passed Engrossed Senate Bills 29, 49, 104, 134, 191, 220, and 261 with amendments and the same are herewith returned to the Senate.

CLINTON MCKAY
Principal Clerk of the House

SENATE MOTION

Madam President: I move that Engrossed House Bill 1821, which is eligible for third reading, be returned to second reading for purposes of amendment.

MILLER

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Drozda be added as third sponsor of Engrossed House Bill 1386.

BRAY

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Drozda be added as cosponsor of Engrossed House Bill 1739.

NUGENT

Motion prevailed.

SENATE MOTION

Madam President: I move that Senators Alting, Arnold, Becker, Boots, Bray, Breaux, Broden, Deig, Delph, Dillon, Drozda, Errington, Ford, Gard, Heinold, Hershman, Howard, Hume, Jackman, Kenley, Kruse, Lanane, Landske, Lawson, Lewis, Lubbers, Meeks, Merritt, Miller, Mishler, Mrvan, Nugent, Paul, Riegsecker, Rogers, Sipes, Skinner, Smith, Steele, Tallian, Walker, Waltz, Waterman, Weatherwax, Wyss, M. Young, R. Young, and Zakas be added as cosponsors of House Concurrent Resolution 54.

LONG

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Rogers be added as cosponsor of Engrossed House Bill 1406.

LUBBERS

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Lubbers be added as cosponsor of Engrossed House Bill 1019.

NUGENT

Motion prevailed.

SENATE MOTION

Madam President: I move we adjourn until 1:30 p.m., Tuesday, April 10, 2007.

LONG

Motion prevailed.

The Senate adjourned at 4:30 p.m.

MARY C. MENDEL
Secretary of the Senate

REBECCA S. SKILLMAN
President of the Senate